

April 24, 2012

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., April 24, 2012.

Members present: Mayor W. D. Tharp; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei

Members absent: Councilwoman Mary L. Flood and Councilman Guy E. Murray, Jr.

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of a regular Council meeting held on April 10, 2012, were approved as distributed.

City Manager Kolakowski reported on the following:

- The electronics and paint recycling day was very successful with great feedback from the residents. A lot of paint was recycled and some of it will be mixed together and used to paint the public works buildings.
- The Keep Bedford Beautiful Commission "Clean-up Day" was also successful.
- He gave credit to the residents and organizations in the City who keep Bedford clean and expressed appreciation to the Garden Clubs for maintaining flower beds throughout the City.

Mayor Tharp reported that Councilwoman Flood had her third knee surgery and wished her well.

Councilman Vest reported the Finance Committee met earlier in the evening and reviewed the March financial reports and the reports appear to be on line with projections; had a lengthy discussion about the VSR payments, the formulas and options are still under discussion - still waiting on information from the State.

The City Manager reviewed the proposed schedule for the budget work:

- April 30 – present budget to Council
- May 8 and May 22 (if needed) – budget work shop
- the budget will be published with a public hearing tentatively scheduled for June 12, 2012
- potentially a called meeting for adoption of the budget – June 19, with a fallback date of June 26, in case there are any questions or difficulties

Councilman Vest said the City Manager told the Finance Committee that this is going to be a very difficult budget year.

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The Consent Agenda consisted of the following items:

- reappointment of Jane Amnott, Thelma Hawkins, Meg Ballard and Dave Ballard to serve on the Keep Bedford Beautiful Commission, said terms to expire June 30, 2015
- Bedford Main Street, Inc. is sponsoring Cruzin Downtown Bedford on Saturday, May 19, 2012, from 3:00 p.m. until 8:00 p.m. and is requesting that Council authorize the closing of the following streets for the event:

Main Street between Ballard Street and South Street
Bridge Street between Depot Street and Washington Street

Bedford Main Street will notify the Fire Department, Rescue Squad and Police Department of the street closings. Suitable public service announcements regarding these closings will be placed on the radio and in the newspaper. The residents of the affected streets will also be notified and will have ingress and egress to their homes.

On motion by Vice Mayor Wandrei, seconded by Councilman Vest, voted upon and carried by a roll call vote, Council adopted the consent agenda: Roll call vote follows:

Councilwoman Flood	absent
Councilman Murray	absent
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

The City Manager reported that a letter has been received from Chad Smith, President of Christmas in Action of Bedford, Inc., requesting that Council authorize the waiving of building permit fees in connection with the group's scheduled projects within the city, as well as any landfill tipping fees that might be applicable. Christmas in Action is a volunteer, nonprofit organization committed to helping home owners who are unable, either financially or physically, to repair or refurbish their homes by their own means. They have selected five homes for this year in the City. The estimated cost for the permit fees and landfill tipping fees would amount to approximately \$250.00.

Mr. Kolakowski said the staff has recommended the waiving of the fees; however, permits should be required for both zoning and building code purposes. In addition, it should be understood that any removal of asbestos must be done under EPA guidelines.

On motion by Vice Mayor Wandrei, seconded by Councilman Vest, voted upon and carried by a roll call vote, Council waived the building permit fees and landfill tipping fees for projects to be undertaken by Christmas in Action of Bedford, Inc. within the City. Roll call vote follows:

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Councilman Murray	absent
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Mayor Tharp	aye

The City Manager said the Region 2000 Radio Communications Board has been in negotiations with Harris Corporation for a replacement system for the region, which includes the Cities of Bedford and Lynchburg, and the Counties of Bedford and Amherst. To finance the system, the Board reviewed numerous proposals and reached an agreement with the Bank of America. The Industrial Development Authority of the Town of Amherst, Virginia has been requested by Virginia's Region 2000 Local Government Council to issue its revenue bond or note in an amount not to exceed \$13,100,000 to finance significant upgrades and replacements of the existing regional emergency communications system.

Mr. Kolakowski said that Council was requested to concur with the Amherst Town Authority's inducement resolution and its issuance of the 2012 Bond as required by Section 15.2-4905 of the Code of Virginia, as amended to permit the Amherst Town Authority to permit the Amherst Town Authority to assist in the financing.

On motion by Councilman Rush, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Murray	absent
Mayor Tharp	aye

The resolution follows as adopted:

CONCURRENCE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA

WHEREAS, the Industrial Development Authority of the Town of Amherst, Virginia **(the "Amherst Town Authority")** has been requested by Virginia's Region 2000 Local Government Council **(the "Council")** to issue its revenue bond or note in an amount not to exceed \$13,100,000 **(the "2012 Bond")** to finance significant upgrades and replacements of the existing regional emergency communications system for the Counties of Amherst and Bedford and the Cities of Lynchburg and Bedford **(the**

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“Member Jurisdictions”) by the issuance of debt to be paid by the Council through payments received by the Member Jurisdictions under a Regional Cooperative Agreement **(the “Cooperative Agreement”)** for the acquisition, construction, installation and equipping of a new emergency communications system **(the “Facilities”)** for the Council to be operated by a new committee of the Council, known as the Region 2000 Radio Communications Board **(the “Radio Board”)** and portions of the Facilities will be placed on property in each of the Member Jurisdictions, including property located in the City of Bedford, Virginia **(the “City”)**;

WHEREAS, Section 15.2-4905 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2 of the Code of Virginia, as amended **(the “Act”)** provides that if a locality has created an industrial development authority, no industrial development authority created by another locality may finance a facility located in a locality unless the governing body of such locality concurs with the inducement resolution adopted by the industrial development authority created by another locality;

WHEREAS, a portion of the Facilities will be located in the City for the benefit of the City, and the City Council of the City of Bedford, Virginia **(the “City Council”)** constitutes the local governing body of the City; and

WHEREAS, the Council, and in turn, the Radio Board has requested that the City Council concur with the Amherst Town Authority inducement resolution and issuance of the 2012 Bond for facilities located in the City:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

1. The City Council concurs with the Amherst Town Authority’s inducement resolution and its issuance of the 2012 Bond for facilities located or to be located in the City for the benefit of the Council and in turn the Radio Board, as required by Section 15.2-4905 of the Code of Virginia, as amended **(the “Code”)** to permit the Amherst Town Authority to assist in the financing.
2. The City Council action in adopting this resolution concurring with the inducement resolution and the issuance of the 2012 Bond by the Amherst Town Authority does not constitute an endorsement of the 2012 Bond or the creditworthiness of the Council or the Member Jurisdictions.
3. The City Manager and other officials of the City are authorized to execute and deliver such documents, agreements or certificates as appropriate for the issuance of the 2012 Bond by the Amherst Town

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Authority and in furtherance of the City's obligations under the Cooperative Agreement, including but not limited to conveyances to the Council and security agreements providing a lien on existing emergency communications equipment previously financed by the Member Jurisdictions for the predecessor to the Radio Board as security for the holder of the 2012 Bond until the Facilities are operational.

4. This resolution shall take effect immediately upon its adoption.

Mayor Tharp adjourned the meeting at 7:12 p.m. until May 8, 2012, at 5:30 p.m. in the Council Hall for a Budget Work Session.